

R-10-0019
ALTERNATIVE PROPOSAL

RULES OF THE SUPREME COURT

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Rule 36. Procedure before the Committee on Character and Fitness

(a)-(d) [No change in text.]

(e) Informal Hearings. . . .

1.-2. [No change in text.]

3. *Permissible Evidence.* Documents or other information provided to the Committee in confidence shall remain confidential and may be used at the hearing only if the providing party agrees. Absent such agreement, confidential information shall not be presented at the hearing or otherwise considered by the Committee in determining the applicant's character and fitness for admission to practice law.

4. *Disclosure; Discovery.* Thirty (30) days before the hearing, or otherwise as agreed by the parties, the Committee and the applicant shall simultaneously disclose documents and other information to be used at the hearing. The Committee need not provide to the applicant copies of documents the applicant has submitted during the application process. Confidential information shall be subject to disclosure or discovery only if the providing party has agreed to its use at the hearing as set forth in subparagraph (e)(3) of this rule.

5. ~~3.~~ [No change in text.]

6. ~~4.~~ [No change in text.]

7. ~~5.~~ [No change in text.]

8. ~~6.~~ [No change in text.]

(f) Formal Hearings. . . .

1.-2. [No change in text.]

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information shall be subject to disclosure or discovery only if the providing party has agreed to its use at the hearing as set forth in subparagraph (f)(3) of this rule.

5. ~~3.~~ [No change in text.]

6. ~~4.~~ [No change in text.]

7. ~~5.~~ [No change in text.]

8. ~~6.~~ [No change in text.]

(g) [No change in text.]

Rule 37. Miscellaneous Provisions Relating to Admissions

(a)-(b) [No change in text.]

(c) Retention and Availability ~~Confidentiality~~ of Records of Applicants for Admission. The records of applicants for admission to the state bar shall be maintained and may be destroyed in accordance with approved retention and disposition schedules pursuant to administrative order of the Court, pursuant to Rule 29, Rules of the Supreme Court. The records of applicants for admission and the proceedings of the Committee on Character and Fitness concerning an application for admission shall ~~remain confidential, not be open to the public~~ except as otherwise provided in these rules. Bar counsel shall be allowed access to the records of applicants for admission and the proceedings of the Committee concerning an application for admission in connection with the duties set forth in Rule 36(a)(2)(C). . . .

(d)-(e) [No change in text.]

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